

AN ORDINANCE



BY COUNCILMEMBER CARLA SMITH

AUTHORIZING THE MAYOR OR HER DESIGNEE TO ALLOW FOR THE CONSTRUCTION OF RIGHT-OF-WAY IMPROVEMENTS AS WELL AS IMPROVEMENTS TO AN EXISTING ISLAND ALONG BROWNS MILL ROAD AND AT THE INTERSECTION OF McWILLIAMS ROAD AND BROWNS MILL ROAD; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance Number 01-O-0466, Z-01-09, rezoning property at McWilliams Road, SE from the R-4 (Single Family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District was adopted by City Council on June 4, 2001 and approved per City Charter on June 13, 2001; and

WHEREAS, certain conditions agreed to by the developer and the community and attached to Ordinance Number 01-O-0466, Z-01-09 have not been adhered to; and

WHEREAS, the council member, the developer and the community have since met and agree that certain r-o-w and island improvements should be made; and

WHEREAS, the attached letter from D R Horton dated June 13, 2005 outline the recommended changes to the development; and

WHEREAS, the implementation of these conditions will go a long way in appeasing the community and demonstrating the type of neighbor the D R Horton plans to be.

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

SECTION 1: That Mayor or her designee authorize the appropriate department to review the request (Items A & B) of the Park at Brown's Mill Townhouse Community and the D R Horton Corp. to determine what the City can do to insure that this problem which exist is eliminated..

SECTION 2: That all ordinances or parts of ordinances in conflict with this ordinance shall be waived.